

## B. Legal Unit

### 1. Filing of Complaints

Administrative complaint may be filed for any of the following grounds for disciplinary action. This refers to the process of receiving formal administrative complaints against DepEd personnel filed before the appropriate Disciplining Authority. A party who is adversely affected by any offenses punishable under D.O. 47 may file a complaint with the disciplining authority

|   |  |                        |                        |                           |
|---|--|------------------------|------------------------|---------------------------|
| <b>Office or Division:</b>  | Legal Services Unit  |                        |                        |                           |
| <b>Classification:</b>  | Simple   |                        |                        |                           |
| <b>Type of Transaction:</b>   | G2C - Government to Citizen and G2B - Government to Business   |                        |                        |                           |
| <b>Who may avail:</b>   | Any person complaining   |                        |                        |                           |
| <b>CHECKLIST OF REQUIREMENTS</b>  |  |                        | <b>WHERE TO SECURE</b> |                           |
| 1. Copy of Formal Complaint under oath containing certification/statement on non-forum shopping (3 copies and 1 additional copy per additional person complained of)  |  |                        | Client                 |                           |
| 2. Sworn Complaint in three (3) copies containing the following: <ul style="list-style-type: none"> <li>• Full name and address of the complainant;</li> <li>• Full name and address of the person complained of as well as his/her position and office in the Department of Education;</li> <li>• A narration of the relevant and material facts which should show the acts or omissions as allegedly committed by the person;</li> <li>• Certified true copies of documentary evidence and affidavits of his/her witnesses, if any</li> </ul> |  |                        | Client                 |                           |
| 3. Certification or Statement of Non-Forum Shopping   |  |                        | Client                 |                           |
| <b>CLIENT STEPS</b>   | <b>AGENCY ACTION</b>   | <b>FEES TO BE PAID</b> | <b>PROCESSING TIME</b> | <b>PERSON RESPONSIBLE</b> |
| 1. Submit the formal complaint with supporting evidence, if necessary   | 1.1 Receive and check the formal complaint and other documents | None                   | 5 minutes              | Legal Unit Staff          |
|   | 1.2. Evaluate the complaint using the                          | None                   | 30 minutes             |                           |

|  |   |             |                   |                       |
|--|---|-------------|-------------------|-----------------------|
|  | <p>formal requirements under D.O. 49, s 2006</p> <p>a. Non -compliant: Issue a checklist of requirements, give appropriate advice, and request the client to sign the Walk - in Client Intake and Action Form</p> <p>b. Compliant: Request the client to proceed to the Records Section for processing</p>  |             |                   |                       |
| 2. Receive copy of the complaint filed   | 2.1 Return Client's receiving copy of the Complaint   | None        | 5 minutes         |                       |
| <b>TOTAL</b>   |   | <b>None</b> | <b>40 minutes</b> |                       |
| <b>REMARKS: For request sent electronically</b>  |   |             |                   |                       |
| 1. Submit electronically (thru official email) the formal complaint with supporting evidence, if necessary | <p>1.1 Evaluate the complaint using the formal requirements under D.O. 49, s. 2006</p> <p>a. Non -compliant: respond with the checklist of the requirements and give appropriate advice and request client to acknowledge receipt of response/action taken.</p> <p>b. Compliant: Acknowledge receipt of the email, print and forward to Records Section for processing and require complainant to send physical copy through registered mail or private courier</p> | None        | 20 minutes        | Legal Staff/ Attorney |
| <b>TOTAL</b>   |   | <b>None</b> | <b>20 minutes</b> |                       |